

# Memo

To: Mayor and City Council  
Through: John Lettelleir, A.I.C.P., Director of Planning  
From: Jeffrey Witt, Planner  
CC: George Purefoy, City Manager  
Date: 12/15/2000  
Re: Downtown Building Permit Suspension

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Since the extension of suspension for building permits for the downtown enacted by City Council will end on January 3, 2001, an additional extension is attached in the event that zoning cases Z2000-41 and Z2000-42 are not acted upon. The attached ordinance would extend the suspension for sixty (60) days or until the zoning case is acted upon by City Council.

If action is taken on the zoning cases during your December 19, 2000 meeting then no action is required on this suspension. If you have any questions or concerns please feel free to contact John Lettelleir or myself.

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO ORDINANCE NOS. 00-10-15, 00-04-10 AND 00-08-17; PROVIDING FOR THE EXTENSION OF A TEMPORARY SUSPENSION OF THE ISSUANCE OF BUILDING PERMITS AND ACCEPTANCE OF APPLICATIONS FOR CONCEPT PLANS, PRELIMINARY AND/OR FINAL SITE PLANS, CONVEYANCE PLATS, PRELIMINARY AND/OR FINAL PLATS, REPLATS AND ZONING CASES IN THE DOWNTOWN DISTRICT; REPEALING ALL CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco Texas ("City Council") has identified as the Downtown District that area beginning at Hickory Street on the southern boundary starting at North/South County Road and proceeding west to 5<sup>th</sup> Street; then north on 5<sup>th</sup> Street to Ash Street; then west on Ash Street to the Burlington Northern – Santa Fe Railroad; then north along the Burlington Northern – Santa Fe Railroad to Pecan Street; then west across the Burlington Northern – Santa Fe Railroad to the John Elliott Drive; then north on John Elliott Drive to F.M. 720; then west on F.M. 720 to the Dallas North Tollway; then 400 feet north up the eastern boundary of the Dallas North Tollway; then east (remaining 400 feet north of F.M. 720) to First Street; then north on First Street to Walnut Street; then east on Walnut Street to Third Street; then north on Third Street to Maple Street; then east on Maple Street to North/South County Road; then south on North/South County Road to Hickory Street ("the Downtown District"); and,

WHEREAS, the City Council of the City of Frisco, Texas ("Frisco") has determined that it is in the best interest and the health and safety of Frisco and its citizens to implement the extension of a temporary suspension of the issuance of building permits and the acceptance of applications for concept plans, preliminary site plans, final site plans, conveyance plats, preliminary plats, final plats, replats and zoning cases until the approval of the ordinances implementing the Downtown Plan are approved by the City Council.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Frisco Ordinance Nos. 00-10-15, 00-04-10 and 00-08-17. Frisco Ordinance No's. 00-10-15, 00-04-10 and 00-08-17 are amended to extend the effective date for the temporary suspension of the issuance of building permits and the acceptance of applications for concept plans, preliminary site plans, final site plans, conveyance plats, preliminary plats, final plats, replats in the Downtown District until the earlier of March 2, 2001 or the effective date of ordinances implementing the Downtown Plan. In the event Frisco does not approve the ordinances necessary to implement the Downtown Plan by March 2, 2001, it may extend this temporary suspension in increments of sixty (60) days each.

SECTION 3: Items to Which the Temporary Suspension Does Not Apply. The temporary suspension provided for in Section 2 does not affect, suspend or prohibit the acceptance and/or filing of applications for specific use permits, certificates of occupancy or variances. This temporary suspension only applies to the Downtown District and does not apply to other geographic areas of Frisco.

SECTION 4: Appeals. Appeals for a hardship caused by this temporary suspension may be made, in writing, to and shall be considered by the City Manager of Frisco. The City Manager of Frisco shall have authority to grant exceptions to this Ordinance.

SECTION 5: Repeal. All Ordinances or provisions of Ordinances in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining provisions of conflicting Ordinances shall remain in full force and effect.

SECTION 6: Severability. It is hereby declared to be the intention of the City Council that if any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or invalid by judgment or decree of a Court of competent jurisdiction, then such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance; and the City Council

hereby declares it would have passed the remaining portions even though it had known the affected parts would be held unconstitutional or invalid.

SECTION 7: Effective Date. This Ordinance shall become effective from and after its adoption.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

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KATHLEEN A. SEEI, Mayor

ATTESTED TO AND  
CORRECTLY RECORDED BY:

APPROVED AS TO FORM:

\_\_\_\_\_  
NAN PARKER  
City Secretary

\_\_\_\_\_  
ABERNATHY, ROEDER, BOYD & JOPLIN, P.C.  
RICHARD M. ABERNATHY  
City Attorneys

*Dates of Publication:* \_\_\_\_\_ - *in the Frisco Enterprise.*